REMARKS

As to the election of species, Applicant affirms that he elected Group II, Claims 1 to 32. Applicant understands that Claims 33 to 36 will be rejoined if Claim 19 is deemed allowable.

Claims 1, 2, 6 to 9, 11, 16, 20 to 31, and 37 to 40 were rejected under 35 U.S.C. 102(b) as anticipated by Stapleton et al. ("Stapleton"). Applicant's Claims 1, 24, 27, and 37 have been amended to require that values that are entered into the reference data table must be values obtained by tested the system at at least two parameters. The parameters are different supply voltages, different body-bias voltages, different clock speeds, different temperatures, different data bus widths, and different circuit block configurations. One of the parameters must be different temperatures. Testing at different temperatures is important because as processing speeds increase temperatures also increase. If the temperature becomes too high, the system will break down. In Applicant's invention, the system is actually tested at different temperatures and that data, which is specific for that particular system, is used to control the temperature monitoring circuit in that system. Stapleton tests only the supply voltage. There is nothing in Stapleton that discloses or suggests testing at different temperatures or at any parameter listed in Applicant's claims, other than supply voltage.

Applicant's claims also require that the system must be tested at <u>at least two</u> parameters. Thus, data by actually testing the system must be available in the reference data table to control the circuit for at least two of the listed parameters. Stapleton controls only a single parameter, the supply voltage, and

a single circuit. In Applicant's invention, the reference data table plays a more extensive role in optimizing the performance of the system because data in that table is used to control two or more parameters.

Furthermore, Stapleton performs his test after the processor has been fabricated (column 1, line 52). Since a chip cannot be easily tested at different temperatures after fabrication of the processor, it is not obvious to follow Stapleton and test for temperature, nor does the cited art suggest doing so.

Claims 3 to 5, 10, 12 to 14, 17 to 19, and 32 were rejected under 35 U.S.C. 103 as obvious over Stapleton. Applicant's hereinabove remarks also apply to this rejection.

Claims 4, 12, 13, and 15 were rejected under 35 U.S.C. 103 as obvious over Stapleton in view of Kothandaraman et al. ("Kothandaraman"). Stapleton has been discussed. The Examiner states, "Kothandaraman *et al.* discloses that one should test a circuit at different clock speeds to determine optimal clock speeds (col. 1 lines 20+)." While Kothandaraman does disclose the use of fuses to store information after an integrated circuit has been manufactured, Applicant is unable to find any disclosure in Kothandaraman that one should test a circuit at different clock speeds to determine optimal clock speeds. Applicant respectfully requests the Examiner to cite the particular column and lines where Kothandaraman makes that statement.

As to Applicant's Claim 15, the Examiner further states, "Kothandaraman *et al.* discloses that one should select between redundant elements (col. 1 lines 20+)." Claim 15 is directed towards selecting among operational blocks.

Applicant does not agree that a broad statement about selecting between redundant elements constitutes a disclosure to select among operational blocks, which may not even be redundant.

Kothandaraman discloses a better way of making a fuse, which permanently stores information when the fuse is opened or "blown." Kothandaraman is not relevant to Applicant's invention, which deals with controlling circuits using data derived from actual measurements on those circuits.

Claims 1 to 32 and 37 to 40 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,792,370. Applicant encloses herewith a Terminal Disclaimer to overcome this rejection; a check for the required fee is also enclosed.

As all of the rejections are now believed to be overcome, reconsideration and allowance of all of the claims is requested.

Respectfully,

Richard D. Fuerle
Registration No. 24,640
For Applicant

Richard D. Fuerle
1711 West River Road
Grand Island, NY 14072
(716)-774-0091
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